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DATE: 5/3/05 ATTORNEY DOCKET NUMBER: KCC 4935.8
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Type of paper transmitted: Request for Reconsideration of the
Patent Term Adjustment

Applicant's Name: Peiquang Zhou

Serial No. (Control No.): 10/648,458 Examiner: N.M. Nutter

Filing Date: 08/26/03 Art Unit: 1711 Confirmation No.: 5093

Application Title: LAMINATED STRUCTURES

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P. 02/03

KCC 4935.8
K-C 17,051.1
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Peiguang Zhou
Application Serial No. 10/648,458
Filed August 26, 2003
Confirmation No. 5093
For LAMINATED STRUCTURES
Examiner Nathan M. Nutter

Art Unit: 1711

May 3, 2005

REQUEST FOR RECONSIDERATION OF THE PATENT TERM ADJUSTMENT

TO THE COMMISSIONER FOR PATENTS,
SIR:

In response to the Issue Notification dated April 13, 2005, Applicants respectfully request reconsideration of the patent term adjustment determination. Applicants hereby notify the Office that the term adjustment is thought to be longer than appropriate, pursuant to Comment 43 of the rules listed in Federal Register Vol. 65, No. 181 at page 56387 (Sept. 18, 2000). Applicants submit the following statement of facts in support of their request for reconsideration.

The Office has indicated that the application is entitled to a patent term adjustment of ten (10) days. However, applicants believe that the correct adjustment is zero (0) days. A first Notice of Allowance was mailed on June 4, 2004, and indicated that the subject application was entitled to a patent term adjustment of zero (0) days. A Request for Continued Examination and Amendment A were filed on September 1, 2004. A second Notice of Allowance was mailed on November 5, 2004, which is within the four (4) month period for reply by the Office. The issue fee was paid on December 23, 2004, which is within the three (3) month period for payment of an Issue Fee. The Issue Notification was mailed on April 13, 2005, and indicated the patent would issue on May 3, 2005, which is ten (10) days after the four (4) month period for issuance of a patent subsequent to the payment of an issue fee. The Issue Notification further indicated that the subject application is entitled to a patent term adjustment of ten (10) days.

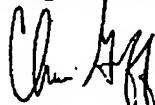
KCC 4935.8
K-C 17,051.1
PATENT

Applicants acknowledge that patent term adjustment can be reduced due to failure to engage in reasonable efforts to conclude prosecution of the application according to 37 CFR §1.704. Pursuant to 37 CFR 1.704(c)(10), the submission of an amendment under §1.312 or other paper after a notice of allowance has been mailed results in a reduction of patent term by the lesser of (i) the number of days beginning on the date the paper was filed and ending on the mailing date of the Office action or notice in response to the paper or (ii) four months. As stated above, applicants filed a Request for Continued Examination and Amendment A on September 1, 2004, and the second Notice of Allowance was mailed by the Office on November 5, 2004, which is a period of sixty-six (66) days.

Based on the above recited facts, the delay on the part of the Office was ten (10) days. The delay on the part of applicants was sixty-six (66) days. The result is a patent term adjustment of zero (0) days.

In view of the above, applicants request reconsideration of the patent term adjustment determination. The patent term adjustment should be zero (0) days. The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 19-1345. However, in view of the fact that the Office made a mistake in calculating the correct patent term adjustment, applicants respectfully request that the fee in connection with this request be waived.

Respectfully submitted,



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